

Postal Regulatory Commission

Washington, D.C. 20268-0001

NOTICE OF FILING UNDER 39 U.S.C. § 404(d)

TO THE UNITED STATES POSTAL SERVICE:

Please take notice that on October 20, 2011, the Commission received two petitions for review of the Postal Service's determination to close the Sattley/Calpine post office located in Calpine, California. The petitions for review were filed by Bill Nunes and Beverly Mitchell (Petitioners) with the earliest postmark being October 6, 2011.

This notice is advisory only and is being furnished so that the Postal Service may begin assembling the administrative record in advance of any formal appeal proceedings held upon the alleged (closing/consolidation) for transmittal pursuant to 39 CFR § 3001.113(a) (requiring the filing of the record within 15 days of the filing with the Commission of a petition for review). The Postal Service's administrative record is due no later than November 4, 2011.



Shoshana M. Grove
Secretary

Date: October 25, 2011

Attachment

A 2012-22
RECEIVED

October 3, 2011

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Received

POSTAL REGULATORY
COMMISSION
OFFICE OF THE SECRETARY

Postal Regulatory Commission
901 New York Ave. NW, Suite 200
Washington, DC, 20268-0001

OCT 11 2011

Members of the Commission:

Office of PAGR

I am appealing the final determination of the United States Postal Service, dated September 26, 2011, to close the Sattley/Calpine Post Office located in Calpine, California. The following are my reasons for filing this appeal.

After an initial survey in April, 2011, and a community meeting in Calpine on May 5, 2011, the USPS posted its proposal to close the Post Office on June 29, 2011. Residents were notified they had 60 days to comment on the proposal. In Section I, "Responsiveness to Community Postal Needs," the proposal said "We will continue to provide effective service through the Sierraville Main Post Office." In Section IV, "Summary," the proposal said "provide delivery and retail services by highway contract route service under the administrative responsibility of the Sierraville Post Office, located 13 miles away."

The Sierraville Post Office was subsequently placed on the Study to Close list and a community meeting was held there September 15, 2011. That proposal now states that mail service to Calpine and Sierraville will be provided out of the Clio Post Office. For residents of Calpine, who were commenting on a proposal to provide their mail services out of Sierraville, the change to Clio is significant. Looking at a flat road map of our region, it may appear there is little difference between driving to Sierraville and driving to Clio. Highway and weather conditions, topography and the driving/commuting needs of Calpine residents make Sierraville an entirely different destination than Clio.

David Rupert at USPS Corporate Communications said in an email to me on August 19, 2011, "I also understand how the discontinuance of Sierraville changes the Calpine situation... We had a number of these situations... All of this will be considered as we ourselves digest the information and impact." In order to digest that impact, another meeting and comment period for residents of Calpine is necessary so that USPS officials making the decision can receive input on this final, altered proposal.

The Post Office in Calpine is located in a building owned by Sierra County and operated under a lease agreement with the county. In a letter to Terry Felix, USPS Facilities Requirements Specialist, dated August 17, 2011, I proposed, on behalf of Sierra County, to meet with postal officials "to discuss a possible rent reduction and other alternatives to a complete closure of that site." At the expressed request of USPS officials, I followed up on September 23, 2011, with a formal proposal from Sierra County to Yvette Berry at the USPS in Denver (copy included), offering to lower the rent from \$1,000 per month to \$600 per month. I also raised other points for possible discussion between Sierra County and the USPS.

In an email I received on August 18, 2011, David Rupert at USPS Communications wrote "If a decision is made to close the Calpine office, we will consult with you and local leaders to determine the best location for boxes to maximize convenience and to minimize security risk and snow removal issues." That would have been a good meeting to have prior to making the final determination. The meeting should still occur as we believe there are viable alternatives to a complete closure.

Despite the proposal from Sierra County, the final determination document still states in Section IV "Economic Savings," that the USPS will realize an annual savings of \$12,000 from lease costs, ignoring the county's offer to reduce the annual lease amount to \$7,200. In the same section, the document lists the

annual cost of replacement services as \$0. Is there no cost to purchase, install and maintain cluster boxes? Is there no cost to providing route carrier service and putting the mail in the boxes? Is there no cost to providing lighting? Is there no cost to providing snow removal, which is now provided by Sierra County at no additional cost? I would like to see these costs addressed in my appeal.

The final determination document is remarkably similar -- and mostly verbatim -- to the original proposal to close. It's as if the 60-day comment period didn't matter at all. The USPS officials in charge of the documents failed to acknowledge the county's offer, failed to list the replacement costs and failed to acknowledge the change in proposal from Sierraville to Clio.

In addition, the proposal in June said "A petition supporting the retention of the Sattley Post Office was received on June 24, 2011, with 59 signatures." The exact same language was included in the final determination document in September, ignoring the fact that petitions with 274 signatures opposed to closing the Post Office were sent to Consumer Affairs Manager Loretta Kirkpatrick on August 24, 2011. Ms. Kirkpatrick has since returned a copy of the letter and signatures on the petitions to Calpine, but there is no indication in the final determination that the decision-makers read that letter or saw the signatures on the petitions. There was no acknowledgement in the document.

It seems to me that the USPS may have decided to close the Post Office in Calpine even before its initial community meeting in Calpine. It may have been trying to satisfy regulations by having the meeting and offering the comment period. Even beyond the points raised in this letter, postal service representatives provided generic answers to serious concerns raised by residents regarding the effect the closure will have on home businesses in Calpine which are a large part of our rural economy.

I understand the difficult financial situation facing the United States Postal Service. I am aware of the changes and impacts brought about by the internet. I am not asking for "business as usual." I understand that changes to our postal service are necessary. I am asking that you uphold this appeal and require USPS officials to return to Calpine and seriously discuss alternatives to a complete closure -- alternatives that will provide savings to the USPS and the best possible postal services to the residents of Calpine, Sattley and the surrounding area.

P.S. After finishing this letter, I have learned that the postal service has now changed our mail service from Clio to Portola, CA. This was done with a handwritten change in the notice of final determination hanging in the Post Office. This change was made nine days after the notice was originally posted and with no notification to the residents of Calpine/Sattley.

Sincerely,



Bill Nunes
Sierra County Supervisor
P.O. Box 118
Calpine, CA 96124

SIERRA COUNTY

Board of Supervisors
P.O. Drawer D
Downieville, California 95936
Telephone (530) 289-3295
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September 23, 2011

Yvette L. Berry
United States Postal Service

Dear Ms. Berry:

The Sierra County Board of Supervisors has authorized me to submit the following proposal in an effort to encourage the United States Postal Service to keep a postal facility open in Calpine, California. Sierra County owns the building at 131 County Road in Calpine, a portion of which is currently occupied by the Sattley/Calpine Post Office.

The Postal Service currently has a lease with Sierra County that runs through August 31, 2015, and calls for monthly rent in the amount of \$1,000. Sierra County is willing to amend the lease to lower the rent to \$600 per month if the Postal Service will agree to keep the Post Office open for the remainder of the lease term. The County also will continue to plow the snow on the road leading to the Post Office, the Post Office parking lot, and pedestrian access to the front door.

The Postal Service has indicated that it is considering locating outdoor postal boxes on the porch of the county building in order to close the Post Office. This also would require a lease with Sierra County and we would prefer to leave the boxes where they are inside the building. Residents could access their mail and other postal services indoors, in a lighted facility.

The Postal Service could realize a savings in Calpine with the lowered rent and also by reducing the hours the window is open.

Sincerely,

Bill Nunes
Sierra County Supervisor, District #3

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